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ABSTRACT

The operation and administration of the Title I Migrant Education Program was reviewed utilizing previous private and public audits, studies, evaluations and/or reports, and interviews with federal officials in the Office of Education (OE) and other individuals knowledgeable about the program. Focus of the review was on two factors that effect the program's administration: staffing and the organizational placement of the Migrant Branch (MB) within OE. Staffing was examined in terms of the number of staff in the Branch, their responsibilities, and whether the functions were being performed in an effective and efficient manner. Organizational placement of the MB within OE was assessed to determine its effect on the program's implementation. Among the review's findings were that: the number of staff in the MB was inadequate compared to the program's fiscal and administrative responsibilities; OE had failed to provide necessary resources to the Migrant Program; local project summaries were not being reviewed and analyzed on a regular and systematic basis, thus wasting much programmatic knowledge; the MB had given priority for program reviews to those states with the largest programs, while "efforts" were made to review the remaining states on a biennial basis; the MB lacked a clear delineation of authority upon which to execute programmatic decisions in an expeditious and authoritative manner. (NQ)

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AN ANALYSIS OF THE STAFFING, ORGANIZATIONAL PLACEMENT, AND GENERAL ADMINISTRATION OF THE TITLE I MIGRANT EDUCATION PROGRAM OF THE U.S. OFFICE OF EDUCATION

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ABBREVIATIONS AND ACRONYMS

CSA	COMMUNITY SERVICES ADMINISTRATION
DED	DIVISION OF EDUCATION FOR THE DISADVANTAGED
EPS	EDUCATION PROGRAM SPECIALIST
ESEA	ELEMENTARY AND SECONDARY EDUCATION ACT
GAO	GENERAL ACCOUNTING OFFICE
HEW	DEPARTMENT OF HEALTH, EDUCATION AND WELFARE
LEA	LOCAL EDUCATION AGENCY
MB	MIGRANT BRANCH
MEP	MIGRANT EDUCATION PROGRAM
MSRTS	MIGRANT STUDENT RECORD TRANSFER SYSTEM
NCLR	NATIONAL COUNCIL OF LA RAZA
NEA	NATIONAL EDUCATION ASSOCIATION
OE	OFFICE OF EDUCATION
PAC	PARENT ADVISORY COUNCIL
P.L.	PUBLIC LAW
SEA	STATE EDUCATION AGENCY
SPO	SPECIAL PROGRAMS OFFICER

I. INTRODUCTION

The National Council of La Raza (NCLR) is pleased to present the results of its review of the operation and administration of the Title I Migrant Education Program of the Office of Education (OE), U.S. Department of Health, Education and Welfare (HEW). The review was conducted and prepared by the staff of the Title I Migrant Education Project of NCLR.

The NCLR's Title I Migrant Education Project is a fourteen month project which became operational in May, 1977. The goal of the project is to accomplish positive changes in the administration and operation of the Title I Migrant Education Program (MEP) so that it reaches more eligible migrant children, and provides improved services to these children.

There are ten objectives of the Project which revolve around ten issue areas. The criteria used for the selection of the issue areas were based on the following:

- The extent to which these issues affect and/or are significant in the implementation of a successful educational program for migrant children
- The regularity with which these issues had been considered to be important variables of the MEP by other studies and reports about the Program
- The amount of resources available to realize the goals and objectives of the project
- The time frame under which the project had to operate

The ten issues finally selected are listed below:

- Administration of the Program at the Federal level
- Administration of the Program at the State level
- Migrant parent advisory councils
- Enrollment of migrant children in the program
- State coordination of Title I MEPs
- Staff development and training
- Financial management of programs
- Skills evaluation procedures
- Issuance of regulations
- Funding formula

It is interesting to note that the NCLR's project coincides with the reauthorization of the Elementary and Secondary Education Act of 1965, as amended, the President's Reorganization Project, and the serious consideration by the 95th Congress of the establishment of an autonomous Department of Education. It therefore seems an appropriate time for OE, organizations and individuals interested in the education of migrant children, to discuss and pursue appropriate changes in order to improve the administration and operation of all Federal programs providing educational services to children of migratory families.

II. PURPOSE AND SCOPE OF THE REPORT

As stated earlier, the focus of this document is on the operation and administration of the Title I MEP. The report intends to provide the reader with a general overview and analysis of the administration and implementation of the program at the Federal level, and some recommendations which, if properly implemented, could lead to a more effective and efficient program.

The report focuses on two factors that affect the administration of the Title I MEP: staffing and the organizational placement of the Migrant Branch (MB) within the Office of Education (OE). It has been alleged that the number of staff in the MB is inadequate to perform its administrative functions. This report looks closely at the number of staff in the Branch, their responsibilities, and whether these functions are being performed in an effective and efficient manner.

The lack of adequate staffing in OE has long been noted in public and private reports. However, to many it does not fully explain why the MB has not been able to carry out its programmatic functions successfully, and why the Branch has failed to assume definite national leadership, direction, and action. Thus, the organizational placement of the MB within OE is also assessed to determine the effect this has on the implementation of the Program.

A substantial amount of research, evaluations, and audits have been conducted with respect to the overall operations and implementation of the Title I MEP. All of these efforts have concluded that the program is not reaching its potential. Numerous recommendations have been offered that would improve the program but many of these recommendations have not been acted upon. Hopefully, this report will help to identify some of the past and current barriers which encumber a more effective and efficient operation of the Program.

It should be noted that many findings, conclusions, and recommendations of this report are based on previous private and public audits, studies, evaluations and/or reports. In addition, interviews with Federal officials in OE and other individuals knowledgeable about the program also influenced the contents of this document.

III. GENERAL OVERVIEW OF TITLE I/TITLE I MIGRANT PROGRAM

The Elementary and Secondary Education Act (ESEA) of 1965 was a milestone in the field of education. With this act, the Federal government, for the first time, recognized the need to provide funds to elementary and secondary schools. The ESEA provided the foundation upon which many of the Federal education programs that exist today were built. In passing ESEA, Congress declared the following:

> The heart of the problem [in education] lies in our elementary and secondary school systems where there are concentrations of America's children of poverty. The late Senator Robert Taft declared:
>
> 'Education is primarily a State function but in the field of education, as in the fields of health, relief, and medical care, the Federal Government has a secondary obligation to see that there is a basic floor under those essential services for all adults and children in the United States.'[1]

Title I of the ESEA provided financial assistance to school systems with large concentrations of low-income, educationally deprived children. The objective was to enable participating school systems to provide services and programs that would meet the needs of deprived children.

The Title I program for children of migratory agricultural workers was established by the ESEA amendments of 1966, which became law on November 3, 1966 (PL 89-750). Section 103 of PL 89-750 authorized grants to State education agencies (SEAs) or other agencies to establish or improve, either directly or through local educational agencies (LEAs), programs and projects designed to meet the special educational needs of migratory children. Due to the fact that agricultural workers migrate from one State to another as they follow crops, PL 89-750 provided that grant monies were to be used for interstate coordination of migrant education programs and projects, including the transmittal of pertinent information from children's school records. Originally, coverage was limited to

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[1] U.S., Congress, House, Committee on Education and Labor, Elementary and Secondary Act of 1965, H. Rep. 143, 89th Cong., 1st sess., 1965, p. 2.

children of migratory and agricultural workers between the ages of five and seventeen; however, subsequent amendments provided for preschool instruction (when funds are available) and extended coverage to children of migratory fishermen.

The MEP concentrates on identifying and meeting instructional and support needs of migrant children. Educational services include supplementary assistance in English language instruction, remedial reading, and other academic disciplines, as well as vocational skill training for older migrant students. Besides its educational aid to migrant students, an important aspect of the MEP is the support services. These services include health counseling and attention (dental, medical, etc.), meals to children in school, psychological counseling, and a home-school program to encourage migrant students to attend school and to involve parents in the education of their children.

Since its inception, the MEP has grown from $9 million serving 80,000 children in FY 1967, to $145 million serving approximately 500,000 children in 46 States and Puerto Rico in FY 1978.

IV. ADMINISTRATIVE OVERVIEW

Operational responsibilities for the Title I MEP are shared by the U.S. Commissioner of Education, SEAs, LEAs and other public and private organizations which operate migrant programs. Specifically, administration of the Program

at the national level rests with the Migrant Branch located in the Division of Education for the Disadvantaged (DED) of HEW. The Branch is staffed by eight professionals, one secretary, and two clerk-typists. The Staff devotes all of its time to the administration of the Migrant Program. Administrative responsibilities include:

- Interpreting laws and promulgating regulations and guidelines;
- Reviewing, approving, and funding State project applications; negotiating changes that may be required in State applications and recommending the issuance of grant awards;
- Conducting annual migrant program reviews in states;
- Providing technical assistance to SEAs;
- Providing leadership in federal and interstate coordination.[2]

On the State level, the SEA is responsible for both the administration and operation of the Title I Migrant Program. Although a State can operate programs, it usually subcontracts actual operation to a LEA.

Annually, each SEA submits a comprehensive plan and cost estimate of its statewide program to the Office of Education for approval. Moreover, SEAs are required to submit to the Commissioner of Education project summaries by all the local public and private agencies that operate migrant programs.

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[2]Information taken from Migrant Education background paper, HEW Audit Agency Audits of Migrant Programs, and Congressional Research Service report on the Migrant Education Program.

If the State's application is approved, a grant is awarded which is entirely separate from the regular Title I allocation to finance the migrant program. The SEA is responsible for the grants and where programs will operate.

The Commissioner of Education has the statutory authority to "by-pass" a SEA and fund another public or non-profit agency in a State if he determines that a State is unable or unwilling to conduct education programs for migrant children; that it would result in more efficient and economic administration; or that it would add substantially to the welfare and the educational attainment of migrant children.[3]

Congressional intent clearly placed responsibility for administrative direction squarely in the shoulders of federal officials at USOE for implementing Title I programs.
In numerous publications and studies by private and governmental bodies concerns have been repeatedly expressed regarding the lack of administrative direction and leadership by OE. For example, in 1975 Congressman William D. Ford, a member of the House Education and Labor Committee, stated it well:

> So what we are really concerned about is making this [Migrant Program] a national program because it has no local constituency. The very nature of the identification of somebody as a migrant dictates that they have no local constituency at all. They have to have their advocacy come from the Department

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[3] U.S., Department of Health, Education and Welfare, Office of Education, Migrant Branch, "Migrant Education - Title I, Elementary and Secondary Education Act - Overview Report," (Washington, D.C.: DHEW), p. 2.

[HEW]. There is no way of having the advocacy come from the state or local levels and be effective.[4]

In Wednesday's Children, a study by the National Committee on Education of Migrant Children, emphasis was given to the role of OE in the migrant program:

> ...it has long been the contention of the National Committee that the USOE... must assume a strong role in national planning. It has been the Committee's belief that solutions to the educational problems of migrant children are not to be found in the hit or miss manner of present patterns of program development by the states and local school districts.[5]

The Committee recommended that OE take a stronger leadership role in the migrant program:

> The United States Office of Education must give stronger leadership to the development of national goals and strategies. The Office's Migrant Branch must be more adequately funded and staffed and must more vigorously fulfill its responsibilities for national program planning, technical assistance, monitoring, and evaluation.[6]

An audit of the migrant program conducted by the HEW Audit Agency noted:

> The Migrant program differs from other education programs in that the highly mobile child is often the concern of school districts in more than one State. The child's "local education agency" is

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[4]U.S., Congress, House, Committee on Education and Labor, Oversight Hearings on Migrant Education Programs, Hearings before a subcommittee of the House Committee on Education and Labor, 94th Cong., 1st sess., 1975 p. 12.

[5]National Committee on the Education of Migrant Children, Wednesday's Children, (New York: National Committee on the Education of Migrant Children, 1971), p. 5.

[6]Ibid., p. 115.

> an interstate or interregional segment of the country. The success and continuity of his education under these conditions, therefore, depends on central leadership from the Office of Education and the joint cooperation of the States to plan and coordinate their administrative efforts.[7]

In a more recent study of the Migrant Education Program, Promises to Keep, the National Child Labor Committee described conditions at the Federal level which negatively affect the operation of migrant programs at the local level:

> Programs are not communicating with each other, and there is little leadership from USOE and state education directors to facilitate such communication. As a result, poor programs are perpetuated, good program elements are not disseminated for replication, and little effort is made to insure educational continuity... Greater coordination at all levels should exist if the migrant education program is to succeed, but the impetus must come from USOE.[8]

Finally, the House Education and Labor Committee, in a report accompanying the Education Amendments of 1974, commented on OE's administration of the MEP:

> The Committee would like to add a few comments concerning the Office of Education's administration of this program. According to G.A.O., the administrators in the Office of Education have not exercised strong leadership in this program... The Committee does not believe that federal program administrators should make any attempts to formulate a Uniform

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[7]U.S., Department of Health, Education and Welfare, Report of the Audit on the Administration of the Migrant Children Education Program Under Title I of the Elementary and Secondary Act, quoted in U.S. Library of Congress, Congressional Research Service, Migrant Education Program Under Title I ESEA, by K. Forbis Jordan, (Washington, D.C.: Library of Congress, 1977), p. 2.

[8]National Child Labor Committee, Promises to Keep, (New York: National Child Labor Committee, 1977), p. 30.

> National Curriculum, but it does believe that a major goal of federal involvement should be to monitor more carefully the action of State agencies to assure that, whatever the diversity of local approaches, good programs are funded for migrant children. OE administrators should also be much more vigorous in encouraging school districts to participate in the migrant education program, in assisting those who do, and in their overall coordination of interstate efforts. Finally, to permit an adequate performance of these functions, the Office of Education must provide proper resources and personnel for the migrant program division of OE. This has not been the situation to date.[9]

As the Committee noted, inadequate staff and resources are major problems in the Migrant Branch of OE. The next section will examine the staffing patterns and administrative responsibilities of the Migrant Branch.

V. STAFFING PATTERNS

The Migrant Branch professional staff consists of a Chief, four Senior Program Officers, and three Education Program Specialists. (See Figure 1)

The Chief has complete administrative responsibility for the Migrant Education Program. He is the main representative and policy advisor and has primary responsibility for all contracting services, program monitoring, and review activities.

The four Senior Program Officers (SPOs) are also involved in the policy development process, but their primary responsi-

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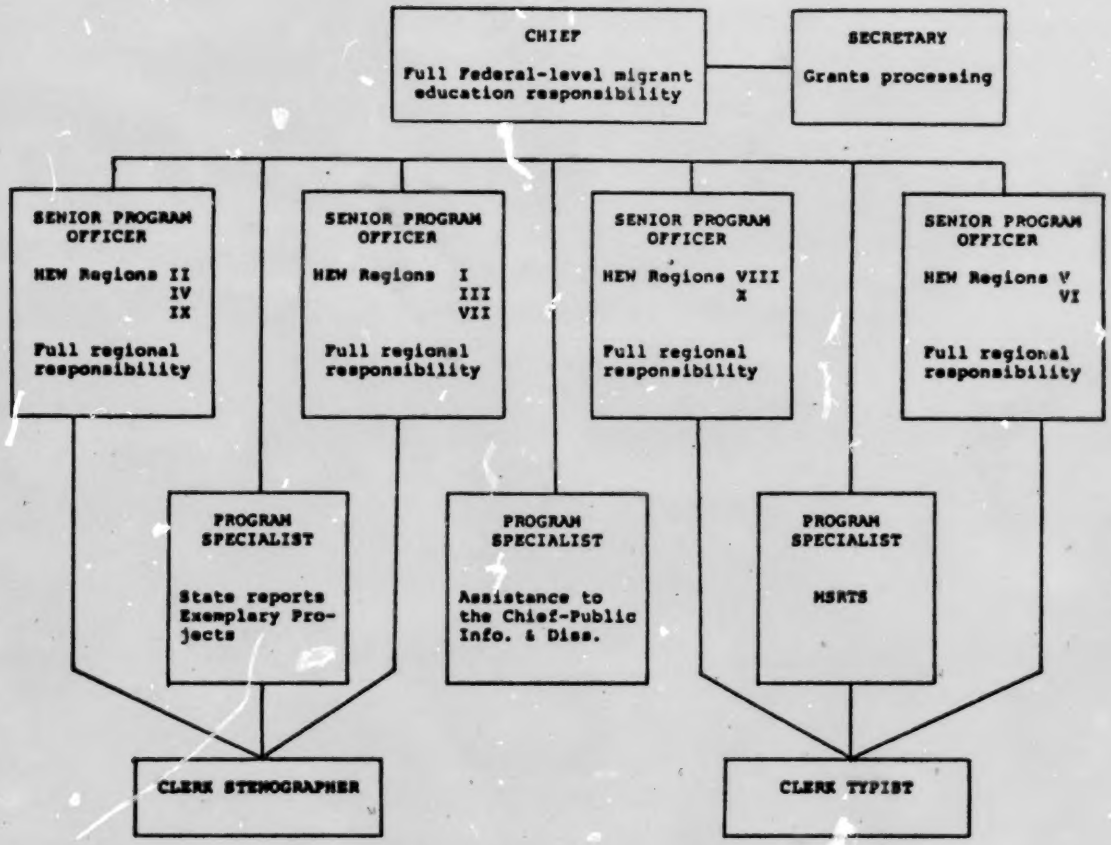
[9] U.S., Congress, House, Committee on Education and Labor, Elementary and Secondary Education Amendments of 1974, H. Rep. 805, 93d Cong., 2d sess., 1974, p. 23

FIGURE 1

ORGANIZATIONAL CHART OF THE MIGRANT BRANCH

OFFICE OF EDUCATION

DEPARTMENT OF HEALTH EDUCATION AND WELFARE



Source: Office of Education, Migrant Branch

bility lies in the review and analysis of State and local migrant program applications and summaries. They conduct all negotiations with, and provide the necessary technical assistance to the SEAs. State self-evaluations submitted annually to the Migrant Branch are reviewed by the SPOs.

The three Education Program Specialists (EPSs) assist the SPOs with the program monitoring and review activities. This entails accompanying the SPO to field evaluations and assisting in the preparation of site visitation reports for the annual review. One EPS is the liaison between the Migrant Branch and the Migrant Student Record Transfer System (MSRTS).[10] In this capacity, he is responsible for compiling, reviewing, and analyzing all MSRTS management information reports.

Another EPS compiles, analyzes, and reviews the SEAs' financial reports and documents. He also serves as the liaison and coordinator for exemplary project activities. The third EPS serves as the administrative assistant to the Chief of the Branch. As the public information officer, he also coordinates the Branch's participation in meetings and conferences at the Federal, State, and Local levels.

The ten HEW regions are divided among the four SPOs. Each region may contain from three to eight States. An SPO who is responsible for three regions could be assigned the responsibility of monitoring as many as fifteen States.

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[10] The MSRTS is a computer data bank located in Little Rock, Arkansas which contains education and health information on migrant children.

Thus, the Migrant Branch with a total of eight professionals, is responsible for the administration of a $145 million program with close to 3,000 LEA projects operating in forty-six states and Puerto Rico.

Officials in OE, on various occasions have offered assurances that Program Specialists in the DED are available to assist the Migrant Branch staff with technical activities and other supportive services. In addition, three other Branches within the Division are also supposed to allocate 5.2 person/years to the Migrant Branch.[11] The supportive services include the writing and interpretation of regulations, providing funding information, resolving audits, providing technical assistance and the preparation of the annual program budget. However, interviews with OE officials revealed that the support personnel is more readily available to assist regular Title I than to assist the Migrant Program.

Until recently, one Title I Regional Program Specialist in each HEW Region was designated to assist the Senior Program Officers during the State program reviews. Again, interviews with OE officals revealed that the availability and extent of this assistance was minimal.

Because of the small number of staff compared to the size of the program and the administrative responsibilities required, the Migrant Branch is not able to fulfill many of its adminis-

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[11] Congressional Research Service, Migrant Education, p. 70.

trative duties. Some of the more important ones include program reviews, review of project summaries, review of State plans, issuance of regulations, and promotion of program coordination.

Program Review

The Migrant Branch conducts periodic program reviews in the States to get first hand information on the way the Program is being conducted on the state and local level. These reviews consist of visits to local projects, visits to the SEA, conferences and briefings with state and local officials, and the issuance of a Program Review Report. The staff of the Branch indicated to the Congressional Research Service of the Library of Congress that a minimum of twenty-three person-days is required for each State review. As mentioned earlier, each SPO has three regions with an average of four States in each region. Therefore, 276 person-days per year are required of each SPO to review all of his/her assigned States. As a result the Branch has adopted a practice of reviewing States with large allocations ($1 million or more) annually while, "efforts" are made to review the others biennially.[12] Interviews with OE officials confirmed the fact that the Branch had to give priority to those states with the largest migrant programs.

The effect of limited staff in relation to program site reviews was emphasized in a 1975 HEW document:

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[12]Ibid., p. 23.

> Only an estimated 156 LEAs from a universe of 2,400 containing migrant programs were visited by Migrant Branch staff in FY 75. Furthermore, not enough staff was available for individual review teams to review thoroughly all program areas involving the SEAs' administration of their migrant programs.[13]

Moreover, a 1974 HEW audit noted two other problem areas in OE's program reviews: on the average it took four months after the state visit for OE to issue a report, with the time span ranging from one to eight months; and the review failed to cover State administrative and financial functions.[14]

Review of Local Project Summaries

All local agencies which operate programs are required to submit a copy of their project summaries to their SEA. The SEA, in turn, sends a copy to OE.

The SPO is responsible for reviewing and analyzing local summaries. These summaries are valuable resources for information on how the migrant program is operated at the local level. The information contained in them includes program objectives, budget summaries, types of programs and services provided, listing of personnel employed and job descriptions, and statistics on the number and grade level of the migrant students to be

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[13] U.S., Department of Health, Education, and Welfare, Office of Education, Division of Education for the Disadvantaged, "Justification for Manpower Increases in the Division of Education for the Disadvantaged," 1974, p. 1.

[14] U.S., Department of Health, Education, and Welfare, Office of Education, Follow-up Review of the Migrant Children Education Program, (Washington, D.C.: DHEW, 1974), p. 11.

served. Close scrutiny of the summaries would be valuable in identifying exemplary projects, locating problem areas, and determining how well both State and local agencies are complying with program guidelines as they implement the program.

The MB staff stated, however, that review and analysis of the local project summaries are not being performed unless in preparation for a State visit. Instead of being an important resource, the summaries are filed away and used only when necessary.

Review of State Plans

One of the most important functions that the Migrant Branch performs is to review and approve or disapprove all State plans every year. In a Senate report on the Education Amendments of 1970, it was emphasized that

> State plans be reviewed in detail each year in light of changing circumstances and that reports on actual operations of programs reveal the extent to which the States have followed their plans. Approval of State plans was not intended to be a proforma procedure. Each State plan should be evaluated separately and approved as a separate document.[15]

Despite this clear intent, the Migrant Branch has not been analyzing State applications critically and in depth. No better evidence of this than the fact that since the inception of the program in 1967, "no State plan has ever been turned down, although a few have been delayed until some corrections were

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[15]U.S., Congress, Senate, Committee on Labor and Public Welfare, Education Amendments of 1970, S. Rep. 634, 91st Cong., 2d sess., 1970, p. 8.

made."[16] Largely due to the fact that each SPO has anywhere from twelve to fifteen States to review and approve, there is not enough time for the staff to analyze critically every State plan. Because of the SPO's already busy schedule, approval of State plans is sometimes delayed causing States further setbacks in receiving their grants. Raúl De La Rosa, Supervisor of Migrant Education in the State of Washington, illustrated an example of this experience in testimony before a House subcommittee:

> Some of us [State directors] during this current summer [1977] experienced a very difficult time with the OE in getting our grant. We, of course, called into the Office of Education and wanted to know the reason for the delay of the grant. With the limited amount of staff Mr. Rivera Chief of the Migrant Branch has, he is required by his administration to fulfill the monitoring requirements of the States. While he had monitors out in the field, he did not have staff within his office to take care of reviewing our State plans to effect the grant expeditiously out of his office. So we found ourselves in essence saying to Mr. Rivera, either you get more staff and meet both the objective of executing the State plan and making our grant or you prioritize your activities and make our grant your priority.[17]

It is difficult to imagine how the MB can carry out the Congressional intent of critically examining State plans under circumstances like the above example.

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[16] National Child Labor Committee, Promises, p. 11.

[17] U.S., Congress, House, Committee on Education and Labor, Part 17: Title I State Migrant Program, Hearings before a Subcommittee of the House. Committee on Education and Labor, 95th Cong., 1st sess., 1977, p. 154.

Issuance of Regulations

The responsibility for developing and issuing regulations for the Title I Migrant Program rests with the MB. Since the initiation of the program in 1967, no regulations specifically designed for the MEP have been adopted. However, Interim Final Regulations were issued on July 13, 1977, but because of additional hearings and time needed to respond to comments, they still have not taken effect. The result of over a decade of operation without regulations has caused the MEP to be run on directives, memos, and word of mouth, often without any written justification for operational changes.

Although there are many reasons for the absence of regulations, certainly, the lack of sufficient staff is a major one.

Program Coordination

Because of the migratory nature of the target population, the Title I Migrant legislation calls for interstate cooperation and coordination. In addition, the Interim Final Regulations for the program call for Federal interagency coordination of programs. Congressional intent clearly placed OE in the position of providing leadership in coordination activities:

> The Office [of Education] should exercise leadership in bringing States together to coordinate services and programs so that continuity of education of the [migrant] children is achieved.[18]

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[18] U.S., Congress, House, Committee on Education and Labor, Elementary and Secondary Education Amendments of 1966, H.R. Rep. 1814, 89th Cong., 2d sess., 1966, p. 10.

The responsibility for achieving both interstate and federal interagency coordination is delegated to the SPOs. According to comments by the staff of the Migrant Branch coordination and cooperation have not been accomplished. This inaction, in the words of Jesse Soriano, Supervisor of Migrant Education in Michigan, causes, "duplication of effort, overlapping of services, and outright competition between program."[19]

Table 1 shows the different federal programs available to migrants and seasonal farmworkers. There has been no effort on the federal level to coordinate the delivery of services to the target population despite the fact that PL 93-644 authorizes the Community Services Administration (CSA) to coordinate, review and monitor federal migrant programs. Instead, several federal programs are aimed not only at the same target population but also directed to the same segment of that population. According to Table 1, there are presently three different preschool/daycare programs for migrant preschool children:

- The preschool migrant programs funded by the Administration of Children, Youth, and Family Programs, (Headstart)
- Preschool programs funded through Title I ESEA
- Preschool program services funded by Title XX of the Social Security Act of 1975.

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[19] Committee on Education and Labor, Oversight Hearings, p. 120.

TABLE 1

FEDERAL ASSISTANCE TO MIGRANTS

AND

SEASONAL FARMWORKERS

TYPE OF SERVICE	AGENCY	PROGRAM	FUNDING (in millions)
Education	DHEW/USOE	Title I - Migrant	$ 145
	DHEW/OHDS	Migrant Headstart	$ 6
	DOL	High School Equivalency Program (HEP)	$ 4.6
	DOL	College Assistance Migrant Program (CAMP)	$ 1
Health	DHEW/HSA	Migrant Health	$ 30
Manpower	DOL	CETA - Migrant Program	$ 64
Daycare	DHEW/USOE and OHDS	Title I - Migrant, Migrant Headstart, and Title XX	unknown
Social Services	CSA	Community Food and Nutrition Program (Migrant advocacy and emergency services)	$ 3
	DHEW/OHDS	Vocational Rehabilitation	$ 0.8
Federal Program Coordination	CSA	P.L. 93-644, Sec. 6(b) gives CSA authority to coordinate, review, and monitor federal migrant programs	-----

Source: Migrant Education Reauthorization Options Outline, HEW.

Another result of the lack of federal leadership in promoting cooperation and coordination is that the States themselves must take the lead in promoting interstate cooperation. Raúl De La Rosa cites an example:

> The State directors wanted to form a committee to study further ways to improve and expand utilization of the MSRTS. The Migrant directors recognized the need for USOE sanction and sought it. The national migrant staff supported the idea and was fully aware of the need for this expanded use. Yet, when sanction was sought from USOE policy level authority failed to render the type of support one would expect. As a result of this action, the States formed their own committee, which has already approved a management plan to carry out a major revision in MSRTS academic information. I strongly believe that had we not taken independent action we would still be involved in seeking approval. And yet, before any changes can be made, we must seek USOE approval. It is apparent, therefore, that there is little or no national coordination other than that which the State directors can give.[20]

It should be noted that at the time of this writing, the Office of Education is engaged in three activities which will probably result in additional staff resources for the Migrant Branch.

The first activity involves the assignment of two Regional Program Specialists to the Migrant Branch. One of these specialists will probably be designated the fifth Senior Program Officer (this position has been vacant for the last two years). The other person will fill a position with primary responsibility for reviewing local project applications as established in Section 116d. 6(b) of the Interim Final Regulations.

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[20]Ibid., p. 116.

The second activity involves the formation of a new support branch within Title I. The staff for this branch is now assigned to the Deputy Commissioner's Office. Six or seven persons will be transferred from the regions to the new branch in a supportive role for the entire Division. This new unit will be called the Program Analysis Branch and will be responsible for the statistical analysis of reports and documents. The responsibility of reviewing and analyzing State self-evaluations will probably be transferred to this Branch.

Lastly, OE is currently engaged in a desk audit of all employees within the DED, an assessment of each individual's performance compared to his/her job description and grade level. Once this is completed, the assessment will compare the responsibilities of an individual at a certain grade level to the level of responsibility of an individual with the same grade in a different agency. The comparison will also be done among similar grades within all the Divisions in HEW. Further, the responsibilities of the individual will be compared to the Civil Service Commission's expectations of that particular grade.

This study will give the Personnel and Training Division in OE the power to move an individual to a lower grade if they decide that individual's level of responsibility is not in accord with his/her grade. However, the Personnel Office is not authorized to upgrade an employee's position

This study, however, will not address the issue of inadequate staff in a particular unit, since it will not be looking at the number of activities assigned to an individual, but at the level of responsibility of that particular position.

The above activities reflect OE's awareness of the staff shortage within the Migrant Programs Branch. It remains to be seen if these remedial measures will address satisfactorily the shortage of staff and resources in the Title I Migrant Programs Branch.

Two conclusions can be reached from the above discussion on staffing. First, the Migrant Branch of OE has not been able to perform all of its administrative functions due to a lack of staff. In the first year of operation, the Branch had four professionals to administer a $9 million program; in FY 78, there were eight professionals to administer a $145 million program operating in 46 States and Puerto Rico. Congressman Ford of Michigan voiced concern regarding the staffing history of the MB in Congressional hearings in October, 1977:

> You [the Migrant Branch] have added four professionals while Congress added $135 million to administer the program. It sounds as though somebody is cutting it off at the pass in the Office of Education. This Department of OE has not been given an opportunity to grow as Congressional intent might have suggested when the resources were increased to be administered by it.[21]

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[21] Committee on Education and Labor, Part 17: State Migrant Program Hearings p. 153.

The many reports, studies, and audits that have documented the staff deficiency have recommended increases from three to five new professionals to improve the performance of the MB.

Second, the lack of a staff of sufficient size and scope to administer the Migrant Program raises serious questions about federal administrative capabilities. Indeed, even the Division of Education for the Disadvantaged, the division of HEW in which the MB is located, expressed concern about this:

> The Division has consistently lacked sufficient staff to adequately monitor the migrant program, especially at the local project level... This lack of staff has resulted in serious problems regarding federal management of the Migrant Program.[22]

Thus, a program which Congress clearly designated to have strong federal leadership and direction, suffers from an acute case of administrative anemia. In summary, an analysis of the Branch's administrative responsibilities revealed that some functions are either not being performed, or are not being performed adequately. Federal monitoring responsibilities are lax at best, and OE has not displayed the strong leadership, authority, and direction that the Migrant Education Program so desperately needs. Moreover, the absence of a strong federal role creates a "ripple effect [that] comes down to the State and local level administrators who frequently, and quite logically, believe that they will not be held accountable for any mismanagement." [23]

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[22] Department of Health, Education, and Welfare, "Justification," p. 1.

[23] National Child Labor Committee, Promises, p. 11.

An increase in the number of professional staff in the MB would certainly be welcome, but it alone would not be enough to overcome the administrative problems of the Program. The organizational placement of the Migrant Program in OE negatively affects, perhaps to a greater degree than the lack of staff, federal management of the Migrant Program. Congressional interest in the Branch's placement and status in OE caused the Senate Committee on Labor and Public Welfare to comment:

> Concern was expressed to members of the Committee that the unit administering the Migrant Program, as a branch within the Division of Compensatory Education (now the Division of Education for the Disadvanted), lacked sufficient personnel and status in the bureaucracy to administer its program effectively. While it was decided not to legislate any specific structure within the Office for the Migrant Program at this time, the Committee would urge the Commissioner to analyze the Program's organizational placement and its available manpower to assume the best possible operation of the Office's migrant education effort.[24]

In the next section, the Migrant Branch's organizational placement in the Office of Education will be further discussed and analyzed.

VI. ORGANIZATIONAL PLACEMENT

As stated earlier, the lack of sufficient personnel does not fully explain the problems with the MB. Indeed, it is mere-

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[24] U.S., Congress, Senate, Committee on Labor and Public Welfare, Education Amendments of 1974, S. Rep. 763, 93d Cong., 2d sess., 1974, p. 26.

ly the most obvious manifestation of a deeper substantive difficulty, namely, the organizational placement of the Migrant Education Program under Title I. The Division of Education for the Disadvantaged of OE administers the Title I Program, and the Migrant Branch is located within the DED. Ultimately, this organizational structure serves to make the MEP conform to regular Title I, without recognizing the special needs of migrant children and the unique programs designed to meet those needs. A comparison of the two programs will be discussed below.

Title I and Title I Migrant share the common element of supplementing regular educational programs through grants for special projects or programs designed to meet the special needs of educationally deprived children. In many instances, therefore, both programs have overlapping target populations. Yet, according to Leo López, former Chief of the California Migrant Section, there is not much overlapping in the delivery of services because, "contrary to some popular thinking, migrant children do not often participate in ESEA Title I programs.[25]

It was for this reason that Congress mandated the Title I Migrant Program to meet the special educational needs of migrant children. The migratory nature of the target population necessitated important differences in the implementation, administration, and types of services delivered to migrant students.

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[25]Committee on Education and Labor, Oversight Hearings, p. 111.

Table 2 compares the differences between Title I and Title I Migrant. Generally, Title I services consist of locally designed and controlled programs which provides remedial instruction in reading and mathematics to students in grades kindergarten to seven. The Title I Migrant Program offers a much more extensive and comprehensive list of instructional services to children from preschool to high school. More importantly, however, these instructional services are supplemented by support services such as medical and dental care, clothing and counseling. It is the duty of support personnel to identify and recruit migrants, to enter health and academic data into the MSRTS, to arrange medical and dental examinations, and provide a liaison between migrants, the school, and the surrounding community. They also work with the migrant students' parents to involve them in the educational activities. As Table 3 illustrates, the Migrant Program not only provides students with more types of instructional services, but its support services are key elements in meeting the unique needs of migratory children.

Perhaps the most important differences between the two programs relates to the level at which administrative responsibility rests. The DED directly funds those LEAs which are to provide Title I compensatory services. The SEAs are responsible for preparing State applications, reviewing and approving LEA applications, monitoring for compliance, providing technical assistance, and preparing financial and performance reports.

TABLE 2

COMPARISON OF TITLE I COMPENSATORY AND MIGRANT EDUCATION PROGRAMS

ASPECT	TITLE I COMPENSATORY	TITLE I MIGRANT
Program Orientation	Generally urban	Generally rural
Administrative Authority	SEA has only general authority; LEA administers program as local program thru direct formula grants	SEA has complete administrative control; operates program thru agreements with LEA, thru subgrants
Writing of Plan	LEA writes; SEA approves	SEA writes; USOE approves
Constituency	Local; stable population	National; mobile population
FTE Student	Based on 180-day school year on per capita count	Based on 365-day year, instate and enrolled on MSRTS
Selection Criteria	Educationally deprived students in schools that are economically deprived	Migrant or former migrant status only
Grade Levels	Major emphasis in Grades K-7	Ages 3-17 Legistative emphasis on ages 5-17 years. Ages 3-5 to be served only if older children would be prevented from attendance by having to care for younger siblings.

Source: Management Study of the Florida Migratory Child Compensatory Program for the State of Florida by MGT of America, Inc., 1978.

TABLE 3

PROGRAM INTERRELATIONSHIPS BETWEEN MIGRANT EDUCATION, TITLE I COMPENSATORY AND OTHER EDUCATIONAL PROGRAMS

PROGRAM COMPONENTS	STUDENT TARGET GROUPS: MIGRANT STUDENTS	TITLE I COMPENSATORY STUDENTS	REGULAR STUDENTS
(1) MSRTS Data	X		
(2) Social Services	X		
(3) Health Services	X		
(4) Early Childhood	X		
(5) Bilingual	X		X
(6) Language Arts	X	X	X
(7) Math	X	X	X
(8) Vocational	X		X

Note: "X" is used to indicate programs offered to different target groups.

Source: Management Study of the Florida Migratory Child Compensatory Program for the State of Florida by MGT of America, Inc., 1978.

The MEP, on the other hand, is a State-administered program. This means that the SEAs not only have similar administrative responsibilities as Title I SEAs, but they also may develop and operate projects themselves or subgrant the operation to LEAs. The SEAs are the sole recipients of federal funds; there are no local district entitlements under this program. Moreover, unlike in Title I, the State plan must be submitted and approved by OE before funds are actually distributed. In the Migrant program, therefore, SEAs play a much more comprehensive and extensive role than do SEAs under Title I. An HEW document comments on the administrative responsibilities performed by Migrant SEAs:

> ...In addition to the administrative responsibilities identified for regular Title I, the Migrant SEAs assume at least 15 other responsibilities:
>
> 1. Statewide recruitment and identification of migrant children
> 2. Statewide needs assessment
> 3. Statewide program development
> 4. Statewide inservice education
> 5. State and local interagency coordination
> 6. Interstate and intrastate program coordination
> 7. Statewide program evaluation
> 8. Development of State guidelines for purchase of equipment
> 9. Maintenance of State inventory for all equipment
> 10. Participation in the Migrant Student Record Transfer System

11. Development of an annual State application for submittal to the U.S. Office of Education

12. Interstate and intrastate dissemination of information.

13. Maintenance of a separate pupil accounting system

14. Maintenance of a separate program expenditures accounting system

15. Development of specifications for the development and awarding of grants and contracts for service to migrant children.[26]

A more personal view of the SEA Migrant Program administrative responsibilities is offered by Leo López:

> State migrant program directors find themselves designing programs to identify eligible children, conducting needs assessments relative to those children, designing and implementing programs that adequately meet those identified needs, and selecting evaluation criteria that focus on how well the program did meet the child's needs. The State Program Director finds himself stepping down through the layer of insulation that separates him from the LEA and finds himself involved with children as well as management and administration. I think this is unique.[27]

Clearly, while SEA responsibilities under Title I and Title I Migrant are different, the Interim Final Regulations for the Migrant Program, issued on July 13, 1977, failed to recognize this difference. Section 116d.10 of the regulations allocates administrative funds according to the definition of administrative functions under Section 143(d) of Title I ESEA. In

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[26] Department of Health, Education, and Welfare, "Migrant Education Background," p. 4.

[27] Committee on Education and Labor, Oversight Hearings, p. 111.

other words, despite the more comprehensive and extensive nature of SEA administration in the MEP, administrative functions are defined according to regular Title I responsibilities which are of a more limited scope. Under Title I, a maximum of 1 percent of its allocations is allowed for administrative purposes. This may be sufficient for SEAs that perform administrative duties, but it ignores the more wide ranging responsibilities that State administration plays in the migrant program. As State Director Soriano said before the House Agricultural Labor Subcommittee in 1975,

> If a migrant program administration continues to be defined as it presently is..., then the amount of funds presently allowable for administrative expenditures under Title I ESEA are insufficient. The main point, however, is that administration is improperly defined as it relates to State Migrant operation.[28]

Besides the differences in administration, there are differences between Title I Migrant and Title I with respect to the location and selection of children. Under Title I target areas are identified on the basis of economic criteria. The eligibility factor in the selection of children is based on the student's demonstration of achievement below a certain competency level.

In the MEP, target areas are identified by the presence of migrant children during some part of the year. The eligibility factor is the migratory status of the child, not academic performance. Therefore, all migrant children may be served.

Another variance is that Title I serves mainly a stable, urban target population. The Migrant Program, meanwhile, serves

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[28] Ibid., p. 120.

a highly mobile intra- and interstate population which is largely rural. As a result, interstate coordination is an essential and especially important feature of the Migrant Program in assuring continuity in educational and supportive services.

In addition, as the Associate Commissioner of Education noted Title I and the Title I MEP are "conflict prone." He recommended that the Migrant Branch be elevated to a division based on the following observations:

- Compensatory education planned and implemented for urban, suburban, and rural children often is partially fucused upon the unique needs of migratory children of migratory agricultural workers or migratory fisherman. To hold SEA directors of migrant programs and LEA migrant project directors to guidelines and interpretations oriented primarily to the Title I LEA Grant program leads to unnecessary confusion, frustration, and conflict within the present unitary organization administering both programs.

- In many states, the administration of the Migrant Program is a part-time responsibility of the Title I education program specialist whose basic orientation is to Title I. One result of this practice is that inappropriate LEA grant approaches are applied to Migrant Program operations.

- In many States, responsibility for coordinating the Migrant Program is a part-time responsibility of a Title I education program specialist whose basic orientation is to the LEA Grant Program. One result of this practice is that inappropriate LEA Grant approaches are applied to Migrant Program operations.

- The staff of the present office has only increased by two persons over the eight-year period. Excluding regional office staff, six (6) professionals in the Migrant Branch are expected to conduct thirty-one (31) program reviews while nineteen (19) Title I headquarters staff are scheduled to conduct 53 program reviews during FY 1975. The complexities of a quality program review are not significantly different between the two programs. In addition to the program reviews, Migrant Program staff personnel are expected to review and approve

> State program applications. This disproportionate workload between the two programs appears to reflect administrative priorities within DED. [29]

Two areas of particular conflict between the programs are the funding mechanism and the grant award procedures. MEP funding is at a level of 100 percent of the legislative authorization, regardless of appropriation levels. The funding for basic Title I is ratably reduced to stay within the limits of appropriation levels. Moreover, in the MEP, the procedures for counting children for allocations are, to a great extent under the control of local program personnel who are responsible for recruiting and enrolling migrant children, while in Title I, the count of children for allocation purposes is almost entirely outside the control of local program personnel. As a result of the differences in the funding mechanism and grant procedures and the combined administrative structure of the programs, conflicts and rivalries inevitably arise, as the Associate Commissioner notes:

> The interrelationship between the "headcount" procedures and fund allocations for the resepective programs leads inexorably to conflicts between staff committed to the LEA Grant (Title I) program and staff committed to the Migrant Program. Responsible administration of the Migrant Program requires program staff to identify, select, and support headcount procedures and policies which are beneficial to Migrant Program allocations, while LEA Grant personnel feel constrained to resist any Migrant Program headcount procedures or policies which would have the effect of increasing Migrant Program fund

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[29] U.S. Department of Health, Education, and Welfare, Office of Education, Extracts from a Memorandum from the Associate Commissioner to the Deputy Commissioner on the organizational placement of the migrant program, 13 December 1974, pp. 1-5.

> allocations at the expense of LEA Grant funds. The latter are, in effect, those funds which remain available after funds for the Migrant Program and other "100 percent" programs are "taken off the top." 30

Thus, a rivalry for funds is created between the two programs because it is not in the interest of Title I administrators to actively broaden the recruitment and identification of migrant children which would reduce the general Title I funding. The Associate Commissioner concludes that:

> These [funding] mechanisms and [grant award] procedures have the effect of making the programs unequal competitors for resources rather than mutually reinforcing and supportive partners seeking the improvement of educational services available to disadvantaged children.[31]

The subordinate organizational placement of the MEP under Title I has resulted, in the words of State director Raúl De La Rosa, "[in the] absence of clearly delineated authority to execute programmatic direction."[32] The Chief of the MB lacks the authority to make necessary programmatic decisions because he either must have the approval of the Title I officials or other officials in OE, or decisions affecting his program are made by people in other offices. This has resulted in the MB being perceived as uncertain and noncommittal on decisions. As example of this was cited in the Program Coordination section when the State directors looked to the Branch for leadership in establishing a committee to study the MSRTS. When their appeals for approval went for naught they took the matter into their own hands (See program coordination section p. 22). This

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[30]Ibid., p. 2.

[31]Ibid.

[32]Committee on Education and Labor, Oversight Hearings, p. 118.

is not an isolated example. Unfortunately, it is sypmtomatic. Mr. De La Rosa explains this further thus:

> This ambivalence or this uncertainty on the part of migrant staff as to how far they can carry out some of the programmatic direction, in light of the fact that much of the policy direction emanates in another department or another office, has sometimes caused some frustration on the part of our State directors.[33]

There are a number of problem areas that demonstrate OE's lack of awareness of the Migrant Program's special needs. One major problem is the absence of any mechanism in the Interim Final Regulations for filing, investigating, or resolving complaints by children or parents of migrant children against State and local officials. Presently, complaints aganist the MEP are channeled through the regular Title I complaints processing procedure. This is satisfactory for a stable, nonmigrating population who can wait six months to two years for the resolution of a case; however, it completely ignores the special needs of migrants who are in an area only for six to eight weeks at a time. It would seem that a special complaints process needs to be established for the Title I MEP.

Another problem is the fact that parental involvement, through the Parental Advisory Councils (PACs), is not legislatively mandated for the Migrant Program as it is for regular Title I. Presently migrant PACs are optional. Even though it is argued that the migratory nature of the target population presents problems in forming PACs, these are not insurmountable.

Lastly, since the program's inception in 1966, only twenty States' programs have been audited. The lack of periodic and

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[33]Ibid.

effective audits, added to the already ineffective monitoring activities of OE, results in funding without knowing how the money is being spent. Even when audits were conducted and it was learned that $5 million had been misspent, writer Mark Masurofsky states that the Office of Education

> ...sought reimbursement for less than 10% of the $5 million in improper expenditures documented by HEW auditors; less than one percent was over recovered... The Office of Education's response to the massive documentation of illegal expenditure of Title I migrant funds appears totally inadequate. What better encouragement for a state or district to disregard program requirements than to be caught 'red handed' and have Federal officials do virtually nothing about it.[34]

The above examples of the differences, conflicts, and problems between Title I and Title I Migrant plainly reveal that the Migrant Branch is hampered by its organizational placement within regular Title I. The Migrant Branch lacks proper status and support, and obviously does not have an effective voice in policy and decision making-circles in the Office of Education. We believe that this explains such problems as the woeful lack of staff to administer the Program, OE's ten-year delay in publishing regulations for the Migrant Program, the lack of effective monitoring and auditing since the Program's inception. It appears that OE is much more concerned with administrative smoothness and uniformity than serving the needs of migrant children.

Title I Migrant administration and Interim Final Regulations

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[34]Mark Masurofsky, "The Title I Migrant Program: Passivity Perpetuates a Non-System of Education for Migrant Children," Inequality in Education 21 (June 1976): pp. 21-22.

are made to conform to regular Title I definitions, administration, and regulations, rather than having the flexibility and imagination to meet the special needs of the target clientele.

Exotech Systems Inc. studied the effectiveness of OE's administration of the MEP and found a lack of direction and coordination at the national level. Exotech recommended that:

> USOE give consideration to the reorganization of the Migrant Branch in such a way that greater flexibility is assured to maintain the intent of the law. It is further recommended that adequate staffing and funds be provided. [35]

The National Education Association (NEA) also expressed concern at the present location of the Migrant Branch within OE. The NEA testified in 1977 as follows:

> The position of the Migrant Education Branch within the U.S. Office of Education limits its effectiveness and inhibits its leadership role. This is evidenced by the conflict between regular ESEA Title I programs, which serve stable populations, and migrant education, serving highly mobile populations. Some regulations for regular ESEA Title I programs are inapplicable for the administration of migrant education programs. There is also a great difference between the funding and delivery of services to these two distinct populations which are both equally in need. [36]

Mark Masurofsky, also criticized OE's management of the Migrant program:

> Unfortunately, the Office of Education by its passivity has allowed the fragmented non-system of migrant education to continue. It has typically passed out funds to States [without] clear program guidelines and without requiring the state and local adherence to major program requirements. 37

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[35]Exotech Systems Inc., Evaluation of the Impact of ESEA Title I Programs for Migrant Workers, Executive Summary, vol. 1, (Falls Church, Va.: Exotech Systems Inc., 1974), p. 47.

[36]Committee on Education and Labor, Part 17: Title I Migrant Programs, Hearings, p. 132.

[37]Masurofsky, "Passivity," p. 21.

Over the past ten years, a multitude of reports, audits, and studies (many cited above) have repeatedly pointed out the myriad of problems with the Migrant Program. OE is well aware of these studies and the recommendations offered; yet, the status quo remains. According to Congressman Ford, the program also suffers from a lack of support in Congress. He says:

> We Congressional supporters of Migrant Education get very little political clout. If you saw the way in which we maneuver to keep this program alive, and what we have to trade to get it, you will find that even among our greatest liberals in the House and Senate, it is just not a program that turns a lot of people on because there is not anybody out there with voting power.[38]

It is necessary that the status of Migrant Education be upgraded in the Office of Education as well as in Congress. Before this can happen, however, "the uniqueness of the migrant programs must be recognized at the federal level with the appropriate administrative and organizational changes taking place."[39]

This has not happened in the first decade of the program. However, with the reauthorization of the Elementary and Secondary Act of 1965 before the 95th Congress and with the President's plan to reorganize the Federal government, those individuals and organizations concerned about migrant education have an opportunity to make much needed changes. Unless this is accomplished now, the "non-system" of migrant education will be perpetuated, and the losers will ultimately be the migrant children.

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[38] Committee on Education and Labor, Oversight Hearings, p. 14.

[39] Ibid., p. 121.

VII. FINDINGS

Based on our study, we have found that:

1. The number of staff in the Migrant Branch is inadequate compared to the program's fiscal and administrative responsibilities.

2. The Office of Education has failed to provide necessary resources to the Migrant Program. The allocation of these additional resources exist on paper, but the actual assistance is not always rendered.

3. The Branch is not able to perform effectively all of its administrative duties and responsibilities.

4. Local project summaries are not being reviewed and analyzed on a regular and systematic basis. As a result, much programmatic knowledge is being wasted.

5. After eleven years in operation, the program still does not have final regulations. Although Interim Final Regulations were issued on July 13, 1977, they fail to take into consideration the administrative differences between Title I and Title I Migrant.

6. The Branch has given priority for program reviews to those states with the largest programs, while "efforts" are made to review the remaining States on a biennial basis.

7. Efforts on the part of OE to exercise leadership in bringing States together to coordinate services and programs that will insure educational continuity to migrant children has been minimal.

8. Although PL 93-644 Sec 6(b) authorizes the Community Services Administration to coordinate, review, and monitor federal migrant programs, CSA has failed to carry out this mandate with any kind of leadership or authority.

9. The Migrant Branch suffers from a lack of clear delineation of authority upon which it can execute programmatic decisions in an expeditious and authoritative manner.

10. The funding process and grant procedures stimulate a rivalry between Title I and Title I migrant program personnel.

VIII. CONCLUSIONS

Based on our findings, we conclude that:

1. There is a lack of staff in the Migrant Branch to carry out its programmatic duties and responsibilities.

2. The Migrant Education Program suffers from a lack of strong federal leadership.

3. The program is adversely affected by its combined administrative structure subordinate to Title I. As a result, it has a low status and a lack of programmatic support in the Office of Education.

4. The Commissioner of Education has not devoted enough time or resources to correct many of the numerous administrative and programmatic problems noted in previous studies.

IX. ALTERNATIVE SOLUTIONS TO THE PROBLEMS

The intent of this section is to list the various alternatives that have been proposed to OE by both private and public organizations to solve the problems identified in this report. This list is not exhaustive. Depending on the set of criteria developed to select the best of the proposed solutions, any one

of the alternatives listed below could be selected. It should also be noted that the best solution may be a combination of alternatives or an derivative thereof. The five solutions selected for presentation are summarized below:

1. To establish a National Office of Migrant Education, as recommended by NEA, where the Administrator has direct access to the U.S. Commissioner of Education. This Office would administer the following components: daycare and preschool, elementary, secondary, post-secondary, handicapped, vocational, career, and adult basic education.

2. To consolidate migrant education programs like Title I Migrant, Migrant Headstart, the High School Equivalency Program (HEP), with separate appropriations for each program.

3. To elevate the Migrant Branch to a Division level with adequate staff.

4. To maintain the present administrative structure and establish, through legislative mandate, a Migrant Affairs Office in the Office of the Secretary. This Office would be primarily responsible for interagency coordination at the federal level and for establishing and operating an ongoing data collection system needed for federal planning and decision making regarding migrant affairs. This option requires a new legislative mandate to transfer the coordinative authority from CSA to HEW.

5. To maintain the present administrative structure but increase the professional and clerical staff in the Migrant Branch.

X. RECOMMENDATIONS

In the formalization of our recommendations, we measured their feasibility by political, administrative and budgetary criteria. Based on our findings and conclusions, we recommend that the Office of Education implement ameliorative action on a long-term and short-term basis.

Long-Term Recommendations

On a long-term basis, we recommend that:

1. The Migrant Branch be given more administrative and operational autonomy, preferably by making the Branch a Division.

2. In the event that a separate Department of Education is created, as considered by the 95th Congress, a Division of Migrant Education, with programs and services to migrants from preschool to post secondary ages, be established.

3. The Secretary of HEW take action in promoting HEW intra-agency coordination and cooperation among all programs that provide services to migrants. In this regard, the Secretary should require key program officers of all programs that provide services to migrants or seasonal farmworkers to meet on at least a quarterly basis for the purpose of coordinating the delivery of services and exchanging program information and ideas with respect to the delivery of education, health, and social services. This could be accomplished by an intra-agency migrant steering committee or council. The proceedings of these meetings should be submitted to the Secretary and made available to the public for its persual.

4. The Secretay of HEW should take action to promote Federal inter-agency coordination and cooperation. Despite the legal mandate of PL 93-644, the Community Services Administration has failed for various reasons

to actively pursue its role as the designated federal agency to coordinate, review, and monitor federal migrant programs. Regardless, the Secretary of HEW can do much more to initiate interagency coordination.

5. The Commissioner of Education should take a stronger and more authoritative lead in promoting coordination and cooperation between States participating in the Title I Migrant Education Program.

Short-Term Recommendations

On a short-term basis we recommend that:

1. The Commissioner of Education increase the staff of the Migrant Brach by at least seven persons, five professionals and two clerks.

2. The Commissioner of Education delegate a greater amount of authority to the Migrant Branch in order that it may develop issues and policies, implement and enforce the administration of the program. This authority currently resides with the regular Title I program.

3. The Commissioner of Education place the Title I resource persons, recently assigned to assist the Migrant Branch staff, under the direct supervision of the Chief of the Migrant Branch.

4. The Commissioner of Education place as a top priority the promulgation of Final Regulations specifically designed for the Title I Migrant Program.

5. The Commissioner of Education become more active in advocating in behalf of migrant families and the education of their children.

BIBLIOGRAPHY

1. Exotech Systems Inc., Evaluation of the Impact of ESEA Title I Programs for Migrant Children of Migrant Agricultural Workers. Vol. 1: Executive Summary Virginia: Exotech Systems, 1974.

2. Masurofsky, Mark "The Title I Migrant Program: Passivity Perpetuates a Non-System of Education for Migrant Children." Inequality in Education 21 (June 1976).

3. MGT of America, Inc., Management Study of the Florida Migratory Child Compensatory Program, Prepared for State of Florida, Department of Education. Tallahassee: MGT of America, 1978.

4. National Association for the Advancement of Colored People Legal Defense and Education Fund. Title I of ESEA: Is It Helping Poor Children? New York: NAACP Legal Defense and Education Fund, 1969.

5. National Child Labor Committee. Promises to Keep. New York: National Child Labor Committee, 1977.

6. National Committee on the Education of Migrant Children. Wednesday's Children. New York: National Committee on the Education of Migrant Children, 1971.

7. National Conference of Catholic Bishops/United States Catholic Conference. The Migrant Farmworker. Washington, D.C.: United States Catholic Conference, 1976.

8. U.S. Congress. House. Committee on Education and Labor. Elementary and Secondary Education Amendments of 1966, H.R. Rep. 1814, 89th Cong., 2d sess., 1966.

9. U.S. Congress. House. Committee on Education and Labor. Oversight Hearings on Migrant Education Programs. Hearings before a subcommittee of the House Committee on Education and Labor, 94th Cong., 1st sess., 1975.

10. U.S. Congress. House. Committee on Education and Labor. Part 17: Title I, State Migrant Program. Hearings before a subcommittee of the House Committee on Education and Labor on H.R. 15, 95th Cong., 1st sess., 1977.

11. U.S. Congress. Library of Congress. Congressional Research Service. Migrant Education Program Under Title I ESEA, by K. Forbis Jordan. Washington, D.C.: Library of Congress, 1977.

12. U.S. Congress. Senate. Committee on Labor and Public Welfare. Education Amendments of 1970, S. Rep. 634, 91st Cong., 2d sess., 1970.

13. U.S. Congress. Senate. Committee on Labor and Public Welfare. Education Amendments of 1974, S. Rep. 763, 93d Cong., 2d sess., 1974.

14. U.S. Department of Health, Education, and Welfare. Office of Education. Report of Audit on the Administration of the Migrant Children Education Program. Audit Agency, 1972.

15. U.S. Department of Health, Education, and Welfare. Office of Education. Follow-up Review of Migrant Children Education Program. Audit Agency, 1974.

16. U.S. Department of Health, Education, and Welfare. Office of Education. Division of Education for the Disadvantaged. "Justification for Manpower Increases in the Division of Education for the Disadvantaged," 1975.

17. U.S. Department of Health, Education, and Welfare. Office of Education. Migrant Branch. "Migrant Education - Title I, Elementary and Secondary Education Act, Background Paper." 1977.

18. U.S. Department of Health, Education, and Welfare. Office of Education. "Memorandum to the Deputy Commissioner, from the Associate Commissioner on the Organizational Placement of the Migrant Program." December, 1974.

19. U.S. Department of Health, Education, and Welfare. Office of Education. "Interim Final Regulations - Special Educational Needs of Migratory Children." Federal Register 42, no. 134, 13 July 1977.

20. U.S. Department of Health, Education, and Welfare. Office of Education. Questions and Answers: Program for Migrant Children under ESEA Title I, 1971.

21. U.S. Department of Health, Education, and Welfare. Office of Education. Title I ESEA: How it Works, 1973.